

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**GUARDIAN INDUSTRIES CORP.**

**Plaintiff,**

V.

DELL, INC.; et al.

**Defendants.**

**C.A. No.: 05-27 SLR**

**NOTICE OF LODGING OF WAIVER OF SERVICE**

Please take notice that the enclosed Waiver of Service with respect to Defendant Hannstar Display Corporation is hereby lodged with the Court.

Dated: April 26, 2005

/s/ Richard K. Herrmann

Richard K. Herrmann (I.D. No. 405)  
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April 21, 2005

VIA FEDERAL EXPRESS AND FACSIMILE

Meredith Zinanni, Esq.  
Kirkland and Ellis LLP  
200 East Randolph Drive  
Chicago, Illinois 60601

Re: *Guardian Industries, Inc. v. Dell, Inc. et al.*  
No. 05-27 (District of Delaware 2005)

Dear Ms. Zinanni:

On behalf of our client HannStar Display Corporation ("HannStar"), we acknowledge HannStar's receipt of a request made by plaintiff Guardian Industries, Inc. ("Guardian") that HannStar agree to waive service of a summons in the above-captioned civil action.

HannStar hereby agrees – solely for purposes of the above-captioned case, and without waiving any objection it may have with respect to an attempted service of process under Fed. R. Civ. P. 4 in other legal matters – to save Guardian the cost of the service of a summons and an additional copy of the complaint upon HannStar. As a result, Guardian need not take further steps to effect valid service on HannStar. In agreeing to save the cost of service, Guardian and HannStar agree that HannStar retains all defenses and objections it has or may have with respect to the filing and maintenance of the above-captioned case, including, but not limited to, all defenses and objections that HannStar has or may have with respect to the jurisdiction or venue of the court under the Federal Rules of Civil Procedure and/or other law, rule, or regulation, except for any defense or objection that might be raised alleging a defect in the summons and/or in the adequacy of service of process upon HannStar.

HannStar will endeavor to file an answer or motion under Fed. R. Civ. P. 12 with the U.S. District Court for the District of Delaware on or before Friday, July 1, 2005, which HannStar and Guardian shall treat, for purposes of this matter, as an act coming "within 90 days after April 1, 2005." HannStar expressly reserves all other rights that it

Ms. Meredith Zinanni, Esq.  
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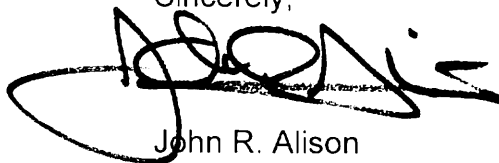
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DUNNER LLP

has or may have under the Federal Rules of Civil Procedure with respect to the time and manner of the filing and service of an answer or motion.

Please let us know immediately if you have any objection or disagreement as to the foregoing arrangements. In addition, please countersign below and return a copy of this letter to our offices at your earliest convenience.

As HannStar is represented by counsel, please direct all future correspondence and/or other communications to: E. Robert Yoches, Esq., Finnegan, Henderson, Farabow, Garrett & Dunner LLP, 901 New York Avenue, NW, Washington, D.C. 20001.

Sincerely,

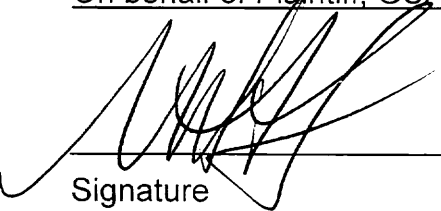


John R. Alison

IY/JRA

cc: C.P. Ting, Esq., HannStar Display Corporation

On behalf of Plaintiff, GUARDIAN INDUSTRIES, INC.



Signature

4/25/05  
Dated

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of April, 2005, I electronically filed the foregoing document, **NOTICE OF LODGING OF WAIVER OF SERVICE**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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Additionally, I hereby certify that on the 26<sup>th</sup> day of April, 2005, the foregoing document was served via email on the following non-registered participants:

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